

## REMARKS/ARGUMENTS

A telephone conversation with Examiner Luhrs was conducted on August 29, 2003. The prompt response by Examiner Luhrs in granting the request for this conversation is greatly appreciated and acknowledged.

During the conversation of August 29th, the claim rejections under Section 112 were discussed. Specifically, it was discussed that there are at least three different embodiments of forming L-shaped spacers disclosed in the present application. The pending claims are supported by the specific embodiment disclosed by FIGS. 13 and 14 and their related text, and not by the embodiment disclosed in FIGS. 4-6, which were the basis for the rejections of the present action.

Applicants' representative regrets any confusion that may have been caused by the multiple embodiments disclosed. Various aspects of the other disclosed embodiments are recited in claims for copending applications (see copending section submitted in preliminary amendment dated November 13, 2002).

Based on the embodiment disclosed in FIGS. 13 and 14, one of ordinary skill is enabled to practice the recited invention. For example, the term "subsequent" with respect to claim 1 is not ambiguous since the embodiment of FIGS. 13 and 14 disclose a dielectric spacer layer being etched prior to formation of a layer. To this end, no essential steps have been omitted with respect to the embodiment of FIGS. 13 and 14.

With respect to paragraphs 7-11 of the Final Office Action, claims 1 and 18 have been rejected under Sections 102 and 103 based upon Beckx and/or Gupta. Claims 1 and 18 recite etching a dielectric spacer layer prior to forming a layer subsequent to the dielectric spacer layer in order to form L-shaped spacers. Beckx discloses forming a layer subsequent to the dielectric spacer layer prior to forming the L-shaped spacers. Specifically, see layer 6, Fig. 1, of Beckx. Because neither Beckx nor Gupta discloses the recited invention of Claims 1 and 18, withdrawal of the rejections of claims 1 and 18 is respectfully requested.

Since all of the pending independent claims are allowable, all of the dependent claims are likewise allowable. In addition, the dependent claims include further features not found in the cited references. Therefore, the Applicants have overcome all of the Office's rejections. Each of the pending claims in this application is therefore in condition for allowance and early notice to this effect is earnestly solicited.

Reconsideration of the rejection placing the present application on Final is respectfully requested.

No fees are believed to be due with this amendment and response. However, in the event it is determined any fees are due in association with this correspondence, please charge to the deposit account of Advanced Micro Devices, number 01-0365.

If for any reason the Office is unable to allow the application on the next Office Action, and feels a telephone conference would be helpful to resolve any remaining issues, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

8-29-03  
Date

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